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10 Attorneys for Creditor  
 10 AMTRUST BANK

12 UNITED STATES BANKRUPTCY COURT

13 DISTRICT OF NEVADA, LAS VEGAS DIVISION

14 In re  
 15 USA COMMERCIAL MORTGAGE  
 16 COMPANY,  
 17 Debtor.

Case No. BK-S-06-10725-LBR  
 Case No. BK-S-06-10726-LBR  
 Case No. BK-S-06-10727-LBR  
 Case No. BK-S-06-10728-LBR  
 Case No. BK-S-06-10729-LBR

Chapter 11

18 USA CAPITAL REALTY ADVISORS, LLC,  
 19 Debtor.

Jointly Administered Under  
 Case No. BK-S-06-10725-LBR

20 USA CAPITAL DIVERSIFIED TRUST DEED  
 21 FUND, LLC,  
 22 Debtor.

**VERIFIED PETITION FOR PERMISSION  
 TO PRACTICE IN THIS CASE ONLY BY  
 ATTORNEY NOT ADMITTED TO THE  
 BAR OF THIS COURT**

23 USA CAPITAL FIRST TRUST DEED FUND,  
 24 LLC,  
 25 Debtor.

26 USA SECURITIES, LLC,  
 27 Debtor.

1     AFFECTS:  
 2      All Debtors  
 2      USA Commercial Mortgage Company  
 3      USA Capital Realty Advisors, LLC  
 3      USA Capital Diversified Trust Deed  
 4      Fund, LLC  
 4      USA Securities, LLC.

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 6                 JAMES A. TIMKO, Petitioner, respectfully represents to the Court:  
 7                 1.         That Petitioner resides in Trabuco Canyon, California.  
 8                 2.         That Petitioner is an attorney at law and a member of the law firm of Allen Matkins  
 9                 Leck Gamble Mallory & Natsis LLP with offices at 1900 Main Street, Fifth Floor, Irvine,  
 10                 California 92614, Telephone number: (949) 553-1313.  
 11                 3.         That Petitioner has been retained personally or as a member of the law firm by  
 12                 AmTrust Bank to provide legal representation in connection with the above-entitled case now  
 13                 pending before this Court.  
 14                 4.         That since June 11, 2002, Petitioner has been and presently is a member in good  
 15                 standing of the bar of the highest Court of the State of California where Petitioner regularly  
 16                 practices law.

17                 5.         That Petitioner was admitted to practice before the following United States District  
 18                 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts  
 19                 of other States on the dates indicated for each, and that Petitioner is presently a member in good  
 20                 standing of the bars of said Courts.

Court	Date Admitted
<u>United States District Court, Southern District of California</u>	<u>March 22, 2006</u>
<u>United States District Court, Eastern District of California</u>	<u>March 27, 2006</u>
<u>United States District Court, Central District of California</u>	<u>March 30, 2006</u>
<u>United States District Court, Northern District of California</u>	<u>April 12, 2006</u>
<u>United States Court of Appeals for the Ninth Circuit</u>	<u>September 16, 2008</u>

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1       6. That there are or have been no disciplinary proceedings instituted against  
 2 Petitioner, nor any suspension of any license, certificate or privilege to appear before any judicial,  
 3 regulatory or administrative body, or any resignation or termination in order to avoid disciplinary  
 4 or disbarment proceedings, except as described in detail below:

5       Not applicable.

6       7. That Petitioner has never been denied admission to the State Bar of Nevada.

7       8. That Petitioner is a member of good standing in the following Bar Associates:

8       Orange County Bar, California State Bar, and Pennsylvania State Bar

9       9. Petitioner or any member of Petitioner's firm (or office if firm has offices in more  
 10 than one city) with which Petitioner is associated has/have filed applications(s) to appear as  
 11 counsel under Local Rule IA 10-2 during the past three (3) years in the following matters:

<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court</u> <u>Administrative Body</u> <u>or Arbitrator</u>	<u>Was Application Granted or Denied</u>
06/03/2004	Petition filed by Michael S. Greger in case of <u>NCP Marketing Group, Inc.</u> et al., Case No. BK-N-04-51071-GWZ	USBC District of Nevada	Granted

17       10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the  
 18 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same  
 19 extent as a member of the State Bar of Nevada.

20       11. Petitioner agrees to comply with the standards of professional conduct required of  
 21 the members of the bar of this court.

22       12. Petitioner has disclosed in writing to the client that the applicant is not admitted to  
 23 practice in this jurisdiction and that the client has consented to such representation.

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1       13. That Petitioner respectfully prays that Petitioner be admitted to practice before this  
2 Court FOR THE PURPOSES OF THIS CASE ONLY.

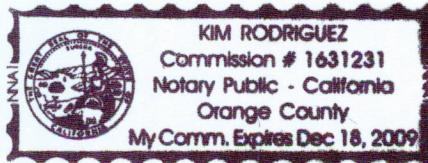
3  
4 Dated this 4th day of November 2009

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6  
7 Petitioner's Signature



8 State of California )  
9 County of Orange )  
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11 Subscribed and sworn to (or affirmed) before me on this 4th day of November, 2009, by James A.  
12 Timko, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before  
13 me.



14 Seal: \_\_\_\_\_

15 Signature Kim Rodriguez

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